

WASTE TIRE STANDARD PERMIT APPLICATION

PREPARED FOR

AT 136294

LOUISIANA ELASTOMER, L.L.C.

(LAEL)

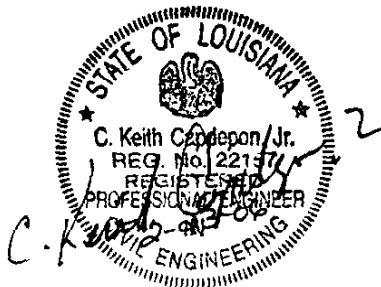
VIDALIA, LA

CONCORDIA PARISH, LA

FEBRUARY, 2006

6 MAR -6 PM 2

LOEQ RECEIPT



PREPARED BY:

BRYANT HAMMETT & ASSOCIATES, L.L.C.

P.O. BOX 1801

FERRIDAY, LA 71334

(318) 757-6576

(318) 757-6578 FAX

## BRYANT HAMMETT &amp; ASSOCIATES, L.L.C.

**COPY**

P.O. BOX 1801, FERRIDAY, LA 71334

(318) 757-6576

FAX (318) 757-6578

original to IOSU  
SM copy to DUG/Nissen  
AI # 136294

## FACSIMILE TRANSMITTAL SHEET

TO: ROBERT NISSAN

FROM: KEITH CAPDEPON

COMPANY:

DATE: MARCH 15, 2006

LA DEQ

FAX NUMBER:  
225-219-3309TOTAL NO. OF PAGES INCLUDING  
COVER: 6RE: LOUISIANA ELASTOMER, L.L.C.  
CONCORDIA PARISH, LA☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY

NOTES/COMMENTS:

BRYANT HAMMETT &amp; ASSOCIATES, L.L.C.

2006 MAR 15 PM 3:05  
054-023

P. O. Box 1801  
bhallc@bellsouth.net

Phone 318-757-6576  
Fax 318-757-6578



## BRYANT HAMMETT AND ASSOCIATES, L.L.C.

Engineering and Land Surveys  
Ferriday, Louisiana 71334

March 15, 2006

**FACSIMILE ONLY**

Mr. Robert Nissan  
LA Department of Environmental Quality  
Office of Environmental Services  
Galvez Bldg.  
602 N. Fifth Street  
Baton Rouge, LA 70802

RE: Louisiana Elastomer, L.L.C.  
Concordia Parish, LA

Dear Mr. Nissan:

As requested, please find the following four (4) pages relative to the above referenced project. Please insert these pages into the permit application.

If you have any questions, or need additional information, please do not hesitate contact me.

Sincerely,

BRYANT HAMMETT & ASSOCIATES, L.L.C.

C. Keith Capdepon, Jr., P.E.

CKCJ:ag

5298

UNITED STATES OF AMERICA  
**State of Louisiana**  
Al Ater

SECRETARY OF STATE

*As Secretary of State, of the State of Louisiana, I do hereby Certify that*  
a copy of the Articles of Organization and Initial Report of

LOUISIANA ELASTOMER, L.L.C.

Domiciled at ABBEVILLE, LOUISIANA,

Was filed and recorded in this Office on March 09, 2006.

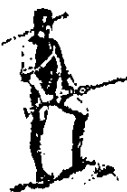
And all fees having been paid as required by law, the  
limited liability company is authorized to transact business  
in this State, subject to the restrictions imposed by law,  
including the provisions of R.S. Title 12, Chapter 22.

*In testimony whereof, I have hereunto set  
my hand and caused the Seal of my Office  
to be affixed at the City of Baton Rouge on,*  
March 9, 2006

*Al Ater*  
AGE 36135799K

*Secretary of State*





# CONCORDIA SENTINEL

P O Box 1485

Phone: 757-3646

336-5082

Fax #: 757-3001

Covering Louisiana's Delta Since 1876

## AFFIDAVIT

I certify that the attached notice was published in *The Concordia Sentinel*, a weekly newspaper in Ferriday, Concordia Parish, Louisiana, in the issue of

August 17, 2005

Chris J. Moore

Sworn to and subscribed before me, this

day 7 of September, 2005

Sandra P. Tumminello

Notary Public

SANDRA P. TUMMINELLO  
034574Notary Public in and  
For Concordia Parish, Louisiana  
My commission expires at death.

# PUBLIC NOTICE

Notice is hereby given that Louisiana Elastomer, LLC. d/b/a LAEL does intend to submit to the Department of Environmental Quality, <sup>Office of Environmental Services,</sup> Permit Division, an application for a permit to operate a Waste Tire Disposal Facility in Concordia Parish, Range 10 East, Township, 7 North, Section 23, which is approximately 4 miles South of Vidalia, Louisiana. Comments concerning the facility may be filed with the Secretary of the Louisiana Department of Environmental Quality at the following address:

Office of Environmental Services  
Permit Division  
Post Office Box 4313  
Baton Rouge, Louisiana 70821-4313

# RECEIPT OF CHECK

Report Date/Time  
3/7/2006 9:34:57 AM

**AI NUMBER**

136294

**Company Name**

D. Michael Wells

**Site Name/Location**

**Phone Number**

**Date Received**

3/6/2006

**Date on Check**

3/6/2006

**Check Number**

1004

**Amount Received**

\$1,250.00

**RECEIPT GENERATED BY:**

Barbara Williamson

**COMMENTS**

Waste Tire Standard Permit for Louisiana Elastomer, L.L.C.  
for the Vidalia facility

**Media:**

SOLID WASTE

P. O. Box 1801  
bhallc@bellsouth.net

# COPY

Phone 318-757-6576  
Fax 318-757-6578



## BRYANT HAMMETT AND ASSOCIATES, L.L.C.

Engineering and Land Surveys  
Ferriday, Louisiana 71334

February 23, 2006

original to IOSW  
SM  
copy to SW/G3/O'Neal  
AVG

Mr. D. Michael Wells  
Louisiana Elastomer, L.L.C.  
101 N. East Street  
Abbeville, LA 70510

AI/36294

RE: Louisiana Elastomer, L.L.C.  
Concordia Parish, LA

Dear Mr. Wells:

Please find enclosed seven (7) copies of the Waste Tire Standard Permit Application relative to the above captioned project. I have labeled one copy for your files and the remaining six are for submittal to the DEQ.

If you have any questions, or need additional information, please do not hesitate to contact me.

Sincerely,

BRYANT HAMMETT & ASSOCIATES, L.L.C.

  
C. Keith Capdepon, Jr., P.E.

CKCJ:ag

Enclosures (7)

Xc: Town of Vidalia

5298

**RECEIVED**  
MAR - 6 2006  
LDEQ

**WASTE TIRE STANDARD PERMIT APPLICATION**

**PREPARED FOR**

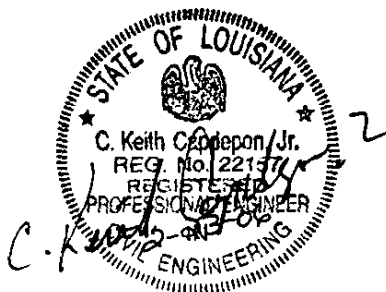
**LOUISIANA ELASTOMER, L.L.C.**

**(LAEL)**

**VIDALIA, LA**

**CONCORDIA PARISH, LA**

***FEBRUARY, 2006***



**PREPARED BY:**

**BRYANT HAMMETT & ASSOCIATES, L.L.C.**

**P.O. BOX 1801**

**FERRIDAY, LA 71334**

**(318) 757-6576**

**(318) 757-6578 FAX**

## TABLE OF CONTENTS

Part I Environmental Regulatory Code

Part II Addendum to Permit Application

Part III Exhibits

### EXHIBITS

Exhibit 1 .....	Applicant Certification
Exhibit 2 .....	Master Site Plan
Exhibit 3 .....	Letter of Request from LAEL to the Town of Vidalia
Exhibit 4 .....	Response Letter from Town of Vidalia to LAEL
Exhibit 5 .....	Proof of Publication
Exhibit 6 .....	Capacity Calculations
Exhibit 7 .....	Safety, Emergency, Contingency Plan
Exhibit 8 .....	LAEL Process Flow Description
Exhibit 9 .....	End Market of Waste Tire Material
Exhibit 10 .....	General Liability Insurance
Exhibit 11 .....	Site Closure Plan
Exhibit 12 .....	Engineering Certification
Exhibit 13 .....	Responses to Section 523 – IT Questions
Exhibit 14 .....	Compliance With Other Regulations

Attachment No. 1 .....	Combined Notice of Finding of No Significant Impact
Attachment No. 2 .....	National Historic Preservation Act of 1996
Attachment No. 3 .....	Flood Map
Attachment No. 4 .....	Wetlands Determination
Attachment No. 5 .....	Coastal Zone Management Act
Attachment No. 6 .....	Aquifer Systems
Attachment No. 7 .....	Farmland Protection Policy Act
Attachment No. 8 .....	Dept. of Wildlife and Fisheries Endangered Species Act
Attachment No. 9 .....	Wild & Scenic Rivers Act

PART I



*RESPONSES TO ENVIRONMENTAL  
REGULATORY CODE*

## **TITLE 33 ENVIRONMENTAL REGULATORY CODE**

**§315.O Compliance with other Regulations. Check with the other Departments for other permits which may be required.  
Water Quality Management Division 765-0634  
Air Quality Regulatory Division 765-0195**

**§523 Additional Supplementary Information (See Attachment).**

**§10513.B.2 Each waste tire standard permit application shall be accompanied by a remittance in the full amount of the appropriate waste tire standard permit application fee. No application shall be accepted or processed prior to payment of the full amount as specified in LAC 33.10535.**

**Response:** A check for \$1,250.00 is enclosed with this application.

**§10517.A.1 Name of the applicant;**

**Response:** The business name is Louisiana Elastomer, L.L.C.

**§10517.A.2 The name and phone number of the owner/contact;**

**Response:** The name of the business owner is Michael Wells. The contact number for Mr. Wells is 337-280-5868.

**§10517.A.3 Business address, including city, state, parish, and zip code.**

**Response:** The business address is 101 N. East Street, Abbeville, LA 70510.

**§10517.A.4 Location of the processing facility, including section, township, and range.**

**Response:** This facility is to be located at 2001 Biglane Road, Vidalia, LA 71373, the facility property lies in Section 23, T7N-R10E, Concordia Parish, Louisiana.

**§10517.A.5 Business telephone number.**

**Response:** The business telephone number is (337) 280-5868.

**§10517.A.6 Federal identification number and state tax identification number.**

**Response:** The federal identification number for this facility is 42-1643603.

**§10517.A.7 Name, address, and phone number of a contact person in case of an emergency, other than the individual specified in paragraph A.2 of this section.**

**Response:** The contact person for this facility is Tommy Ferrara, (972)390-9688.

**§10517.A.8 a certification in writing that all the information provided in the application and in accordance with the application is true and correct. Providing false or incorrect information may result in criminal or criminal enforcement. The applicant shall also provide the master site plan, including property lines, building, facilities, excavations, drainage, roads, and other elements of the process system employed, certified by a registered engineer licensed in the state of Louisiana;**

**Response:** Exhibit No. 1 is an applicant certification signature page stating that the information provided is true to the best of the applicants' knowledge and in accordance with the permit and that the applicant is aware that criminal enforcement can be used if information is known to be inaccurate.

Exhibit No. 2 is a Master Site Plan depicting key features and facility topography including property lines and buffer zone along with fences and access roads.

**§10517.A.9 A copy of written notification to the appropriate local governing authority, stating that the site is to be used as a waste tire processing facility.**

**Response:** Please find as Exhibit No. 3 a letter from LAEL, L.L.C. to the Town of Vidalia, stating that the site will be used for a tire processing facility.

**§10517.A.10 Written documentation from the appropriate local governing authority, stating that the facility is in compliance with local zoning and permitting requirements.**

**Response:** Please find as Exhibit No. 4 a letter from the Town of Vidalia to the LAEL, L.L.C., stating that the proposed tire processing facility is in compliance with local zoning and Industrial Park ordinances.

**10517.A.11 Written documentation from the property owner granting approval for use of property as a waste tire processing and/or collection facility, if property owner is other than applicant;**

**Response:** Exhibit No. 4 contains correspondence from the owner granting approval for use of this property as a waste tire processing facility. The Town of Vidalia is the owner of the property, a plat is also enclosed in this exhibit for clarification of ownership of this property.

**§10517.A.12 Proof of publication of notice of intent to submit an application for a waste tire processor standard permit;**

**Response:** Exhibit No. 5 includes proof of publication of the Notice of Intent to submit an application for a waste tire processing permit.

**§10517.A.13 A letter of compliance and certification of premises and buildings from the state fire marshal.**

**Response:** This facility is not yet under construction. Building plans will be approved by the State Fire Marshall, and local building permits will be retained before construction of the facility building.

**§10517.A.14.a Facility access and security;**

**Response:** Facility will be fenced with a 6' high chain link fence. There will be lockable gates at all points of ingress and egress.

**§10517.A.14.b A waste tire acceptance plan to count, record, and monitor incoming quantities of waste tires;**

**Response:** Whole tires will enter the facility and a log will be maintained in accordance with LAC 33:VII.10527.A.2, which requires all waste tires entering the facility to be accompanied by waste tire manifests

on which sections 1, 2 and 3 have been completed, except for unmanifested loads of 5 or less waste tires which must be entered in the daily log. The log for all unmanifested loads shall include, at a minimum, the following:

- a) the name and address of the customer
- b) the license plate number of the vehicle delivering the tires
- c) the phone number of the customer
- d) the number of tires received
- e) the date,
- f) the time, and
- g) the signature of the customer delivering the tires.

Any inconsistencies realized between the number of tires received and the number of tires verified will be recorded on a discrepancy report and sent to the governing authority along with the monthly report of accepted tires.

The whole tires will be unloaded in the designated storage/sorting area and then stored in covered semi-trailer box vans with other like tires sizes. Whole tires will be processed on site into shredded tire material for beneficial re-use. Shredded tire material received from off-site processors will also be stored in box vans for further processing.

**§10517.A.14.c      A method to control water run-on/run-off;**

**Response:** Facility property shall be well drained to the road ditch to the north and the hwy ditch to the south. Swales on each side of the access road along with culverts underneath the turnouts provide for adequate drainage of the facility. The building site and parking area shall be laid out to provide drainage, with shallow swales as necessary, to the nearest outfall. There are no drainage canals, natural drains or swags passing through the property.

**§10517.A.14.d      Days and hours of operation;**

**Response:** The planned hours of operation of the facility will be 24 hours a day 7 days a week, once the facility is up and running, at this time the facility is not constructed. The administrative authority shall be notified of any request for any revised hours of operation.

**§10517.A.14.e.i Dimensions of waste tire piles;**

**Response:** There will be no waste tire piles, all tires will be stored in covered box vans.

**§10517.A.14.e.ii Maximum number of waste tires and volume of waste tire material to be stored at any one time. The total amount of waste tires and volume of waste tire material shall not exceed 60 times the daily capacity of the processing unit;**

**Response:** The maximum number of waste tires and/or waste tire material that can be stored at any one time is 59 box van loads. This equates to approximately 1479 tons at 25 tons per load. See Exhibit No. 6 for calculations on waste tires and box van capacity.

The amount of waste tires or waste tire material to be stored at this facility will be 20 box van loads or 500 tons, at 25 tons per box van. This equates to approximately 75% of the monthly processing capacity

**§10517.A.14.e.iii Width of fire lanes;**

**Response:** When parked for storage after sorting, the box vans will be parked in straight rows, with a 50 foot all weather access fire lane between each row as shown on the proposed site plan.

**§10517.A.14.e.iv A method of storage to exclude standing water, including inside storage;**

**Response:** All waste tires and waste tire material will be stored in covered box vans, unless inside the building in line for processing.

**§10517.A.14.e.v Type of access roads and buffer zones; and**

**Response:** Access roads will be a well graded aggregate or stone, all weather surface, well drained with a substantial base for sustaining 18 wheeler legal weight limit loads.

**§10517.A.14.e.vi      Emergency control plans in case of fire or accident, etc;**

**Response:** All facility personnel will use/wear at a minimum, safety glasses, steel toe boots and hard hats. Exhibit No. 7 is the Safety Emergency Contingency Plan for the proposed facility.

**§10517.A.14.f      A detailed description of the waste tire processing method to be used, including daily capacity;**

**Response:** Vehicles entering the facility will be weighed prior to entering the disposal area. The receiving clerk logs in the truck and directs it to the unloading/sorting area. Commercial collection vehicles are not allowed to proceed into the unloading dock until authorized by the receiving clerk. Upon completion of acceptance procedures, the vehicle will be directed to the unloading/sorting area. Haulers not familiar with the facility will be provided instruction and their loads closely checked for the specific acceptance requirements. During unloading and sorting, the tires are visually monitored by the operator. If any other waste is detected, the vehicle is not allowed to leave the site until the disposition of such waste is resolved.

Whole tires will be received from the hauler at the facility or received in small lots of 5 or less in accordance with LAC 33:VII.10527. A.2., which requires for each collection center to accept no more than five unmanifested tires per day per customer and for the collection center to maintain a log for all unmanifested loads. The log for all unmanifested loads shall include, at a minimum, the following:

- a) the name and address of the customer
- b) the license plate number of the vehicle delivering the tires
- c) the phone number of the customer
- d) the number of tires received
- e) the date,
- f) the time, and
- g) the signature of the customer delivering the tires.

The whole tires will be unloaded and sorted in the designated area. This designated area will be large enough to accommodate semi-trailer box vans and tire handling machinery. These tires will be Sorted with other like tires in semi-trailer box vans for further processing in the processing plant Shredded tire material received from off-site from other processors will be stored in covered box vans also until further processing is performed for the end user.

The actual Industrial Process for the processing of the tires for the facility is described in Exhibit No. 8, which includes flow diagrams for the process after the sorting of tires.

**§10517.A.14.g      Site grounds maintenance and disease vector control to minimize vector-breeding areas and animal attraction;**

**Response:**      Routine site maintenance will be mowing of ditches and other grassy areas within the boundaries of the facility. There should be no vector breeding areas due to the fact that there are no tire piles, only box van trailers parked on a well drained aggregate parking lot contain the sorted tires to be processed.

**§10517.A.14.g.i      Controlling fly, mosquito, and other insect emergence and entrance;**

**Response:**      The site will be well drained through the use of drainage swales and existing drainage outfalls. The existing topography lends to a well drained area, this feature along with the construction of the access road ditches and drainage swales in the box van parking area should eliminate water standing on the site.

**§10517.A.14.g.ii      Controlling rodent burrowing for food or harborage;**

**Response:**      All waste tires and waste tire material will be stored in covered box vans, unless inside the building in line for processing. There should not be any place for a rodent to burrow as there are no piles of tires or other waste.

**§10517.A.14.g.iii      Controlling bird and animal attraction;**

**Response:**      All waste tires and waste tire material will be stored in covered box vans, unless inside the building in line for processing. There should not be any bird or animal attraction as there are no piles of tires or other waste for harborage.

**§10517.A.14.h      Buffer zones;**

**Response:**      A 100 foot buffer zone is included in the site plan and shown inside the perimeter of the facility. See Exhibit No. 2, Master Site Plan,

which depicts the buffer zone limits of 100 feet inside of the property line.

**§10517.A.14.i      method to store waste tire material in detail;**

**Response:**      Waste tire material will be shipped out soon after processing with the "tirecycle" method. Processed material will be stored in 1000 pound bags as "crumb" or smaller pieces, or the processed material is formed into mats approximately 1" thick and these mats are stored on pallets and shipped out in that form. The processed material is actually developed to end user specifications, varying by customer, however, there are no piles of chipped tires, as this facility is an actual processor not just a chipper or shredder.

**§10517.A.14.j      End market of the waste tire material; and;**

**Response:**      Exhibit No. 9 contains 2 sections, the first explains the end market use of the processed material and the second contains a list of typical end user customers. Any change in end market use will be dependent upon the approval of the governing authority

**§10517.A.14.k      A method to control and/or treat any process water;**

**Response:**      No processing wastewater is produced with the method of processing utilized by the proposed facility, it is a closed system with water being used for cooling only. All wastewater effluent from the facility will be discharged into the Town of Vidalia's municipal sewer system.

**§10517.A.15      Evidence of general liability insurance in the amount of \$1 million provided by an insurer who is admitted, authorized, or eligible to conduct insurance business in Louisiana.**

**Response:**      Exhibit No. 10 is the insurance proposal from the insurance agency that will be insuring the site. At the appropriate time, or as directed by the administrative authority, insurance will be purchased as depicted in the proposal.

**§10517.A.16 A site closure plan to assure clean closure; the closure plan must be submitted as a separate section with each application. The closure plan for all facilities must ensure clean closure and must include the following;**

- a. the method to be used and steps necessary for closing the facility;
- b. the estimated cost of closure of the facility, based on the cost of hiring a third party to close the facility at the point in the facility's operating life when the extent and manner of its operation would make closure the most expensive;
- c. an estimate of the maximum inventory of whole waste tires and waste tire material on-site at any one time over the active life of the facility;
- d. a schedule for completing all activities necessary for closure; and
- e. the sequence of final closure as applicable

**Response:** The closure plan for this facility is not typical of other sites in that there will be no tire piles stored for processing or no piles of processed material piled outside waiting for the end user to pick up. The processing facility can simply close down after the final run of tires and shut the doors. Closing the facility would be a clean closure since there would be nothing to bury or monitor. The closure plan is contained in Exhibit No. 11.

**§10517.A.17 A site closure financial assurance fund;**

**Response:** An irrevocable letter of credit will be provided as the financial assurance closure fund in the amount of \$15,000.00 for this facility.

**§10517.A.18 Plans, specifications, and operations represented and described in the permit application or permit modifications for all facilities must be prepared under the supervision of and certified by a registered engineer licensed in the state of Louisiana.**

**Response:** See Exhibit No. 12 for a professional certification page.

**§10517.A.19 certification. The applicant must provide and sign legal certification that all information provided in the application is true and correct with the knowledge of the possibility of punishment under the law for false information;**

**Response:** Exhibit No. 1 is an applicant certification signature page stating that the information provided is true to the best of the applicants' knowledge and in accordance with the permit and that the applicant is aware that criminal enforcement can be used if information is known to be inaccurate.

**§10517.A.20 Signature and date; and**

**Response:** Exhibit No. 1 is an applicant certification signature page with date, stating that the information provided is true to the best of the applicants' knowledge and in accordance with the permit and that the applicant is aware that criminal enforcement can be used if information is known to be inaccurate.

**§10517.A.21 Name of authorized agent of process, if applicable. If you do not have an authorized agent of process put Not Applicable on the appropriate section of the application form.**

**Response:** There is no authorized agent of process for this facility.

### **LAC 33:VII.10525 Standards and Responsibilities of Waste Tire Processors**

**§10525.A.1.** Upon receiving a shipment containing waste tires, the processor shall be responsible for verifying the number of waste tires in the shipment by actually counting each waste tire. The processor shall sign each waste tire manifest upon receiving waste tires. Processors can be reimbursed from the waste tire management fund for only those eligible tires accepted from authorized Louisiana transporters or from generators as specified in LAC 33:VII.10519.K

**Response:** All tires entering the facility will be counted and checked against the respective carrier manifests for accuracy. Each waste tire manifest will be signed after review for accuracy

**§10525.A.2.** Each processor shall accept no more than five unmanifested tires per day per customer. The processor shall maintain a log for all unmanifested loads. The log shall include, at a minimum, the following:

- a. the name and address of the customer;
- b. the license plate number of the vehicle delivering the tires;
- c. the phone number of the customer;
- d. the number of tires received;
- e. the date;
- f. the time; and
- g. the signature of the customer delivering the tires.

**Response:** Whole tires will enter the facility and a log will be maintained in accordance with LAC 33:VII.10527.A.2., which requires all waste tires entering the facility to be accompanied by waste tire manifests on which sections 1, 2 and 3 have been completed, except for unmanifested loads of 5 or less waste tires which must be entered in the daily log. The log for all unmanifested loads shall include, at a minimum, the following:

- a) the name and address of the customer
- b) the license plate number of the vehicle delivering the tires
- c) the phone number of the customer
- d) the number of tires received
- e) the date,
- f) the time, and
- g) the signature of the customer delivering the tires.

The completed manifests and a copy of the log shall be submitted to the department no later than the fifth of the month following the month in which the tires are received by the processing facility. The processing facility shall retain a copy of the manifests and the log at the processing facility for at least three years.

Any inconsistencies realized between the number of tires received and the number of tires verified will be recorded on a discrepancy report and sent to the governing authority along with the monthly report of accepted tires.

**§10525.B** On a form obtained from the Office of Management and Finance, Financial Services Division, all processors shall submit to the Office of Management and Finance, Financial Services Division, a monthly report, which shall include a certified record of pounds of tires processed during the month, along with the completed manifests for the month and the log recording all unmanifested waste tires deposited at the facility. The monthly report shall also include a certified record of the pounds of waste tire material that have been marketed and delivered as a product or raw material for beneficial reuse. An alternative method of reporting sale of waste tire material shall be developed and approved for each processor that uses a process other than shredding. The alternative method shall be approved by the administrative authority.

**Response:** A report shall be each month and will include a certified record of pounds of tires processed during the month, completed manifests for the month and the log recording all unmanifested waste tires deposited at the facility. This monthly report shall also include a certified record of the pounds of waste tire material that have been marketed and delivered as a product or raw material for beneficial reuse.

An alternative method of reporting sale of waste tire material shall be developed and approved for each processor that uses a process other than shredding. The alternative method shall be approved by the administrative authority.

**§10525.C** Waste tire facility operators shall provide completed copies of waste tire manifests to the appropriate waste tire generator within 30 days of the origination date of the manifest.

**Response:** No completed waste tire manifest shall be held long enough to prevent delivery to the appropriate waste generator within 30 days.

**§10525.D.1** All processors shall control ingress and egress to the site through a means approved by the administrative authority, with at least one entrance gate being a minimum of 20 feet wide.

**Response:** This facility will be fenced with a 6 foot high chain link fence with a 30 foot minimum width main entrance gate.

**§10525.D.2 All facilities shall have a buffer zone of 100 feet. Waste tires and waste tire material shall not be placed in the buffer zone.**

**Response:** See Exhibit No. 2, Master Site Plan, which shows the buffer zone around the perimeter of the facility.

**§10525.D.3.a. There shall be no open burning.**

**Response:** No open burning will be allowed on site at this facility.

**§10525.D.3.b. The facility operator shall enter into a written agreement with the local fire department regarding fire protection at the facility.**

**Response:** This facility will be serviced by the Town of Vidalia Fire Department. See Exhibit No. 2, Master Site Plan for details of waterlines and fire hydrants for fire protection and also Exhibit No. 7 for the Safety, Emergency, Contingency plan listing other fire departments in the area.

Fire marshal approval of the facility building plans shall demonstrate on-site fire control inside the facility building.

**§10525.D.3.c. The facility operator shall develop and implement a fire protection and safety plan for the facility to ensure personnel protection and minimize impact to the environment.**

**Response:** Exhibit No. 7 is the Safety, Emergency, Contingency plan listing all fire departments and emergency entities in the area along with various plans of action for emergencies of the most common type.

**§10525.D.4 Suitable drainage structures or features shall be provided to prevent or control standing water in the waste tires, waste tire material, and associated storage areas.**

**Response:** See Exhibit No. 2, Master Site Plan, for drainage structures and flow of storm water run-off.

**§10525.D.5 All water discharges, including storm water run-off, from the site shall be in accordance with applicable state and federal rules and regulations.**

**Response:** All water run-off will be from roofs, concrete and aggregate parking areas, and grassy buffer areas around the parking areas and bordering ditches. State and local regulations regarding run-off will be adhered to during construction and also while in operation.

No waste tires will be allowed to remain in standing water. All tires will be contained in box vans.

**§10525.D.7 Waste tires or waste tire material shall be treated according to an acceptable and effective disease vector control plan approved by the administrative authority.**

**Response:** All waste tires or waste tire materials will be stored in box vans and treated as specified in Exhibit No. 2, Master Site Plan which also shows facility sorting locations.

No tires will be stored outside in piles, only in enclosed box vans. Some tires may be stored inside while in line for processing.

Waste tires and waste tire materials will be stored in box vans with tops, sides and gates intact where no rainwater will leak into the box vans.

**§10525.D.8 Waste tires and waste tire material stored outside shall be maintained in piles, the dimensions of which shall not exceed 10 feet in height, 20 feet in width, and 200 feet in length or in such dimensions as approved by the administrative authority.**

**Response:** No waste tires or waste tire material will be stored in piles outside.

**§10525.D.9 Waste tire or waste tire material piles shall be separated by lanes with a minimum width of 50 feet to allow access by emergency vehicles and equipment.**

**Response:** All box vans will be spaced in rows 50 feet apart to allow access by emergency vehicles and equipment.

**§10525.D.10 Access lanes to and within the facility shall be free of potholes and ruts and be designed to prevent erosion.**

**Response:** Access roads will be a well graded aggregate or stone, all weather surface, well drained with a substantial base for sustaining 18 wheeler legal weight limit loads.

**§10525.D.11** The storage limit for whole waste tires shall be no more than 60 times the daily permitted processing capacity of the processing facility.

**Response:** This facility will limit storage of waste tires and waste tire materials to 20 box vans or approximately 75 % of the monthly processing capacity. (at 25 tons per box van). Exhibit No. 6 contains calculations for tire storage capacity.

**§10525.D.12** All waste tire facility operators shall maintain a site closure financial assurance fund in the amount based on the maximum number of pounds of waste tire material that will be stored at the processing facility site at any one time. This fund shall be in the form of a financial guarantee bond, performance bond, or an irrevocable letter of credit in the amount of \$20 per ton of waste tire material on the site. A standby trust fund shall be maintained for the financial assurance mechanism that is chosen by the facility. The financial guarantee bond, performance bond, irrevocable letter of credit, or standby trust fund must use the exact language included in the documents in LAC 33:VII.11101. Appendix A. The financial assurance must be reviewed at least annually.

**Response:** An irrevocable letter of credit will be provided as the financial assurance closure fund in the amount of \$11,000.00 for this facility.

**§10525.D.14** Financial assurances for closure and post-closure activities must be in conformity with the standards contained in LAC 33:VII.727.A.2.i.

**Response:** An irrevocable letter of credit will be provided as the financial assurance closure fund in the amount of \$11,000.00 for this facility.

The closure plan for this facility is not typical of other sites in that there will be no tire piles stored for processing or no piles of processed material piled outside waiting for the end user to pick up. The processing facility can simply close down after the final run of tires and shut the doors. Closing the facility would be a clean closure since there would be nothing to bury or monitor. The closure plan is contained in Exhibit No. 11.

**§10525.F** Governmental agencies may operate tire splitting equipment for the purposes of volume reduction prior to disposal without a permit to process waste tires, provided they meet the requirements outlined in LAC 33:VII10517.C and request authorization from the Office of Management and Finance, Financial Services Division, before initiating any processing.

**Response:** Not Applicable, LAEL, L.L.C. is not a governmental entity.

**§10525.F** Processors shall maintain a complete set of records pertaining to manifested tires or shredded waste tire material coming in or leaving their place of business. This shall include, but is not limited to, manifests, monthly reimbursement reports, records of all payments from/to end markets, inventory records, logs, any documents related to out of state tire activity, and financial records. These records shall be maintained for a period of no less than 3 years and shall be open for inspection by the administrative authority at all reasonable hours.

**Response:** Incoming and outgoing material records will be kept for a minimum of 3 years. These records will be open for inspection by the administrative authority and shall include at a minimum the following;

- a) manifests,
- b) monthly reimbursement reports,
- c) records of all payments from/to end markets,
- d) inventory records,
- e) logs,
- f) any documents related to out of state tire activity, and
- g) financial records

**§315.0**

**Compliance With Other Regulations** All facilities may be subject to applicable federal and state laws and regulations, including, but not limited to Section 402 (NPDES) and Section 404 (Dredge and Fill) of the Clean Water Act; the Coastal Zone Management Act and Federal Aviation Administration regulations; the National Historic Preservation Act of 1996, as amended; the Endangered Species Act; the Wild and Scenic Rivers Act; the Fish and Wildlife Coordination Act; the Clean Air Act; the Toxic Substances Control Act; the Marine Protection Research and Sanctuary Act; the Resource Recovery and Conservation Act; and the Federal Insecticide, Fungicide, and Rodenticide Act.

**Response:** Exhibit No. 14 includes letters from the following governmental and environmental agencies.

**§523. Part III:**

**Additional Supplementary Information -** The following supplementary information is required for all solid waste processing and disposal facilities. All responses and exhibits must be identified in the following sequence to facilitate the evaluation:

1. a discussion demonstration that the potential and real adverse environmental effects of the facility have been avoided to the maximum extent possible.
2. a cost-benefit analysis demonstrating that the social and economic benefits of the facility outweigh the environmental impact costs;
3. a discussion and description of possible alternative projects which would offer more protection to the environment without unduly curtailing nonenvironmental benefits;
4. a discussion of possible alternative facilities which would offer more protection to the environment without unduly curtailing nonenvironmental benefits; and
5. a discussion and description of the mitigating measures which offer more protection to the environment than the facility, as proposed, without unduly curtailing nonenvironmental benefits.

**Response:** Exhibit No. 13 contains a discussion of the Section 523 Part III questions.